

**IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

DEKALB COUNTY, FULTON
COUNTY, and COBB COUNTY,
GEORGIA,

Plaintiffs,

v.

HSBC NORTH AMERICA HOLDINGS
INC., et al.,

Defendants.

1:12-CV-03640-ELR

ORDER

In this case, Plaintiffs allege that Defendants engaged in predatory lending and discriminatory residential mortgage lending and servicing activities, including reverse redlining. Additionally, Plaintiffs contend that Defendants' alleged illegal discriminatory conduct has caused substantial damages to Plaintiffs' communities and neighborhoods, including but not limited to, reduced property values on foreclosed properties and reduced property values on surrounding properties. See Compl. ¶¶ 254, 317-318.

The undersigned was recently alerted to an article in the Washington Post published on May 2, 2016,¹ concerning, *inter alia*, homeowners in a particular section of DeKalb County experiencing lower property values due to predatory lending, foreclosures, and abandoned development; this correlates with Plaintiffs' allegations. Of particular significance, the article features communities and neighborhoods that are nearby and adjacent to the undersigned's property. The homes in these neighborhoods were built at the same time by the same builder with the same listing prices as the undersigned's home. Today, the properties in these neighborhoods and the undersigned's property are generally valued the same. In addition, members of the undersigned's neighborhood have begun internet discussions about redlining and predatory lending in response to the Washington Post article. Moreover, the undersigned has been notified that a speaker is coming to her neighborhood to discuss topics, specifically redlining and predatory lending, directly in response to the article.

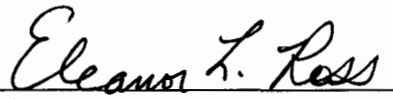
In light of these recent events, the undersigned is concerned that her ability to adjudicate this case impartially may be questioned and that her own property interest could be affected substantially by the outcome of this action. Accordingly, the undersigned finds that she has a potential conflict in this case and must therefore recuse. See Canon 3(C) of the Code of Conduct for United States Judges (a "judge

¹ Emily Badger, The Divided American Dream, WASHINGTON POST (May 2, 2016), <https://www.washingtonpost.com/graphics/business/wonk/housing/atlanta/>.

shall disqualify himself or herself in a proceeding in which the judge's impartiality might be reasonably questioned" including when the judge has a financial interest in the action or any other interest that could be affected substantially by the outcome of the proceeding). The undersigned is cognizant that this case has already been assigned to two Judges in this district resulting in significant delays and that a recusal now may delay the proceedings further. However, the undersigned finds that any resulting delays, costs to the parties, or additional burdens that recusal may impose do not outweigh impartiality; impartiality must take priority.

Accordingly, the undersigned **RECUSES** from this case and **DIRECTS** the Clerk to reassign this action to another judge in accordance with the Internal Operating Procedures of this Court.

SO ORDERED, this 10th day of May, 2016.


Eleanor L. Ross
United States District Judge
Northern District of Georgia